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SUBJECT: UPDATE OF WORST FORMS OF CHILD LABOR INFORMATION
FOR MANDATORY CONGRESSIONAL REPORTING REQUIREMENTS

REF: STATE 158223

11. (U) This cable contains updated information for required reporting under the Trade and Development Act (TDA) concerning child labor in Trinidad and Tobago (TT).

1A. Laws and regulations proscribing the worst forms of child labor:

The Government of Trinidad and Tobago (GOTT) has ratified ILO Convention 138. However, plans to amend legislation to comply with ILO convention 182 have not yet been realized because the GOTT has not yet developed a list of occupations considered to be the worst forms of child labor.

The Minimum Age for Admission to Employment Act of 2007 sets the minimum age for employment in public and private industries at 16. However, children aged 14 to 16 may work in activities in which only family members are employed, or that have been approved as vocational or technical training by the Minister of Education. Children under 18 are prohibited from working between the hours of 10 PM and 5 AM except in a family enterprise or within other limited exceptions. One such exception permits children from 16 to 18 to work at night in sugar factories (a dying industry). Violation of these regulations is subject to fines. The minimum age for military recruitment is 18.

There are no laws specifically prohibiting trafficking, but the Sexual Offences Act prohibits procuring a minor under the age of 16 for the purpose of prostitution. The penalty for procurement is 15 years imprisonment. Trafficking may also be prosecuted under laws addressing kidnapping, labor conditions, procurement of sex, prostitution, slavery, and indentured servitude. The use of children under 16 in pornography is also prohibited.

1B. Regulations for implementation and enforcement of proscriptions against the worst forms of child labor:

The Ministry of Labor and Small and Micro-Enterprises and the Social Services Delivery Unit in the Office of the Prime Minister are responsible for enforcing child labor provisions. In 2004, the GOTT created the National Steering Committee on the Prevention and Elimination of Child Labour in Trinidad and Tobago. The committee is tasked with developing a national policy to eliminate all forms of child labor. Its responsibilities include creating a plan of action, reviewing and recommending legislation, and inter-organizational coordination. Currently, there is only a draft national policy on combating the worst forms of child labor.

Central to the proposed national policy is the creation of a

Children's Authority, which will be tasked with the oversight of the well being of all children in Trinidad and Tobago. The Authority has the ultimate responsibility for receiving child labor complaints, conducting investigations, enforcing child labor regulations, and sheltering exploited children temporarily. A Family Court is to work in conjunction with the Authority to adjudicate legal cases, enforce child labor provisions, and determine the disposition of exploited children.

Penal sanctions for the employment of children are contained in laws such as the Children's Act, Shipping Act, and Occupational Safety and Health Act. Labor inspectors of the Ministry of Labor are trained to identify cases of child labor.

1C. Social programs specifically designed to prevent and withdraw children from the worst forms of child labor:

The Ministry of Education has a variety of programs to help children stay in school and thus minimize the risk of child labor. These include school guidance and counseling, special education and inclusive education, a school social work program, school transportation and nutrition programs, and literacy remediation and alternative education programs.

The Ministry of National Security has a number of programs that target "at risk" youths. These include the Civilian Conservation Corps, Military-led Academic Training, and the Military-led Youth Program of Apprenticeship and Reorientation Training. These programs are incorporated within the Specialized Youth Service Programs, and are designed to enhance self-esteem, academic and life skills, and civic-mindedness.

1D. A comprehensive policy aimed at the elimination of the worst forms of child labor:

In July 2004, a National Steering Committee for the Prevention and Elimination of Child Labor was established. The committee developed a draft National Policy for the Prevention and Elimination of Child Labor in Trinidad and Tobago. However, this policy has yet to be finalized.

1E. Continual Progress toward eliminating the worst forms of child labor:

Although current information on the incidence of child labor is still not available, the Ministry of Labor and Small and Micro-Enterprise provided post with statistics from 2005. A rapid assessment study by the ILO indicated that an estimated 1.2% of children aged 5-14 are engaged in paid work. Less than 1% participate in unpaid work for someone other than a household member. UNICEF's 2000 Multiple Indicators Cluster Survey of Trinidad and Tobago estimated that 4.1% of children are engaged in paid work. Since 2000, though the local economy has experienced an oil and gas-led boom that has lowered overall unemployment and plausibly could also have lessened the already low-level of child labor.

Education is compulsory up to the age of 12, and public education is free for all elementary and secondary students up to the age of 20. In addition, higher education is free for nationals at public universities, as well as for approved programs at private institutions. The Ministry of Education estimated that 89% of school-age children attended school, and most students achieved the equivalent of a high school diploma. Many public schools failed to meet the needs of the school-age population due to overcrowding, substandard physical facilities, and occasional classroom violence. The government committed resources to building new facilities and expanded access to free secondary education.